

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Greg Finch	Team: Squad #9	CCRB Case #: 201901338	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Monday, 02/04/2019 8:30 PM	Location of Incident: [REDACTED]	Precinct: 17	18 Mo. SOL 8/4/2020	EO SOL 3/21/2021	
Date/Time CV Reported Mon, 02/11/2019 4:20 PM	CV Reported At: CCRB	How CV Reported: Mail	Date/Time Received at CCRB Mon, 02/11/2019 4:20 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. DT2 Vincent Dauge	01722	903746	D-E T/F
2. SGT William Sommer	02586	927538	D-E T/F
3. DT3 Kieron Ramdeen	06963	947664	D-E T/F
4. Officers			D-E T/F

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DT1 Dustin Genco	06504	906320	D-E T/F
2. LCD Jerome Arico	00000	896960	D-E T/F

Officer(s)	Allegation	Investigator Recommendation
A.DT2 Vincent Dauge	Force: At § 87(2)(b) in Manhattan, Detective Vincent Dauge used physical force against § 87(2)(b)	[REDACTED]
B.SGT William Sommer	Force: At § 87(2)(b) in Manhattan, Sergeant William Sommer used physical force against § 87(2)(b)	[REDACTED]
C.SGT William Sommer	Force: At § 87(2)(b) in Manhattan, Sergeant William Sommer used physical force against § 87(2)(b)	[REDACTED]
D.DT3 Kieron Ramdeen	Force: At § 87(2)(b) Street in Manhattan, Detective Kieron Ramdeen used physical force against § 87(2)(b)	[REDACTED]
E. Officers	Force: Officers used physical force against § 87(2)(b)	[REDACTED]
F.SGT William Sommer	Abuse: En route to an unknown location, Sergeant William Sommer did not obtain medical treatment for § 87(2)(b)	[REDACTED]
G.SGT William Sommer	Abuse: Inside an unknown location, Sergeant William Sommer threatened § 87(2)(b) with the use of force.	[REDACTED]

Case Summary

On February 11, 2019, this complaint was received via mail, which was filed by § 87(2)(b)

On February 4, 2019, at approximately 8:30 p.m., in the vicinity of § 87(2)(b) in Manhattan, Detective Vincent Dauge, Sergeant William Sommer, and Detective Kieron Ramdeen, each of the NYPD's Drug Enforcement Task Force, executed an operation with members of the US Drug Enforcement Administration and the New York State Police. § 87(2)(b) the officers asked § 87(2)(b) and a second individual, § 87(2)(b) to exit the vehicle.

After § 87(2)(b) exited the vehicle, he attempted to flee, and in response, Det. Dauge and Sgt. Sommer pursued § 87(2)(b) and forcibly took him to the ground (**Allegations A and B: Force – Physical force, § 87(2)(g)**). While he was on the ground, Sgt. Sommer allegedly struck § 87(2)(b) at the left cheek with his knee and Det. Ramdeen allegedly kicked him in the back (**Allegations C and D: Force – Physical force: § 87(2)(g)**). In addition, other officers participated in “beating” § 87(2)(b) (**Allegation E: Force – Physical force, officer(s) unidentified**).

Ultimately, § 87(2)(b) and § 87(2)(b) were arrested for possession of a controlled substance with intent to sell (**Board Review 01**) (**Board Review 02**). § 87(2)(b) was transported to what he identified as the Manhattan DA's office, located at 1 Hogan Place in Manhattan, and in route he asked Sgt. Sommer for medical attention, and, Sgt. Sommer told him that he would get medical attention a Manhattan Central Bookings (**Allegation F: Abuse of Authority – refusal to provide medical attention, § 87(2)(g)**).

Later, while he was in a holding cell at the Manhattan DA's office, Sgt. Sommer allegedly told § 87(2)(b) “If you make any report, we can disappear you, just like that” (**Allegation G: Abuse of Authority – Threat of force: § 87(2)(g)**).

No video evidence was available for this incident. The officers were not issued body-worn cameras at the time of this incident.

Findings and Recommendations

Allegation (A) Force: At § 87(2)(b) § 87(2)(b) in Manhattan, Detective Vincent Dauge used physical force against § 87(2)(b)

Allegation (B) Force: At § 87(2)(b) § 87(2)(b) in Manhattan, Sergeant William Sommer used physical force against § 87(2)(b)

It is undisputed that after the officers stopped the vehicle and took § 87(2)(b) out, he attempted to run by stepping away from the vehicle and the officers. It is further undisputed that when he did so, Det. Dauge and Sgt. Sommer pursued him and forcibly took him to the ground from behind.

§ 87(2)(b) described the force used by the officers as a “tackle” (**Board Review 03**).

§ 87(2)(b) declined to provide a sworn statement to the investigation (**Board Review 05**).

Sgt. Sommer stated that he grabbed § 87(2)(b) around the waist from behind and brought him to the ground (**Board Review 07**).

Det. Dauge stated that he grabbed § 87(2)(b) at one of his shoulders and pulled him to the ground (**Board Review 06**).

NYP Patrol Guide Procedure 221-01 Force may be used when it is reasonable to place a person in custody and to prevent escape. Members of the service will use only the reasonable amount of force necessary to gain control or custody of the subject (**Board Review 09**).

§ 87(2)(g)

Allegation (C) Force: At § 87(2)(b) § 87(2)(b) in Manhattan, Sergeant William Sommer used physical force against § 87(2)(b)

Allegation (D) Force: At § 87(2)(b) § 87(2)(b) in Manhattan, Detective Kieron Ramdeen used physical force against § 87(2)(b)

Allegation (E) Force: At 1st Avenue and East 49th Street in Manhattan, Officers used physical force against § 87(2)(b)

It is undisputed that § 87(2)(b) sustained an injury to his left cheek (**Board Review 04**).

During his CCRB statement, § 87(2)(b) stated that four officers began “beating” him after he was taken to the ground (**Board Review 03**). He stated that Det. Ramdeen kicked him in his back and Sgt. Sommer struck him with his knee against his left cheek, which resulted in him sustaining a large bruise and bleeding at his left cheek. He was not able to attribute any other actions to officers present.

§ 87(2)(b) declined to provide a sworn statement to the investigation (**Board Review 05**).

Sgt. Sommer stated that after § 87(2)(b) was forcibly taken to the ground, he did not use additional force against § 87(2)(b) (**Board Review 07**). He did not recall whether any other officer used force against § 87(2)(b). The only officer who was present and assisted with the take down of § 87(2)(b) was Det. Dague. As the officers were trying to pull § 87(2)(b)'s hands behind his back, he was attempting to pull them forward to prevent handcuffing and as he did so he hit his face against the ground causing injury.

Det. Ramdeen stated that he did not assist in the apprehension of § 87(2)(b) (**Board Review 08**). When he and the other officers initially approached the vehicle § 87(2)(b) and § 87(2)(b) were in, Det. Ramdeen approached the side of the vehicle § 87(2)(b) was seated. For that reason, he did not see any interactions between § 87(2)(b) and his partners, including the forcible take down. He did not strike or physically interact § 87(2)(b) at any point. He did not know whether any other officer struck § 87(2)(b) because of where he was positioned.

Det. Dague stated that when § 87(2)(b) was forcibly taken to the ground, he fell face first and Det. Dague believed that to be the cause of the abrasion on one of his cheeks (**Board Review 06**). No additional force was used against § 87(2)(b) beyond the forcible take down. Only Det. Dague and Sgt. Sommer participated in the forcible take down of § 87(2)(b). Det. Dague did not see any officer kick or use a knee strike against § 87(2)(b).

§ 87(2)(g)

§ 87(2)(g)

Allegation (F) Abuse of Authority: En route to an unknown location in Manhattan, Sergeant William Sommer did not obtain medical treatment for § 87(2)(b)

§ 87(2)(b) alleged that after he was raised up off the ground and placed into an unmarked vehicle, he asked Sgt. Sommer for medical attention (**Board Review 03**). In response, Sgt. Sommer told him that he would get the medical attention at Manhattan Central Bookings. § 87(2)(b) was treated the next day, February 5, 2019, at approximately 10:00 a.m. at Manhattan Central Bookings.

Sgt. Sommer stated that § 87(2)(b) did not request medical attention at any time, and he did not recall whether he offered medical attention to § 87(2)(b) (**Board Review 07**).

Det. Dauge did not hear § 87(2)(b) request medical treatment at any point during the incident in question (**Board Review 06**).

Det Dauge prepared a Medical Treatment of Prisoner report (**Board Review 10**). The report notes that § 87(2)(b) refused medical treatment in the “field,” at the stationhouse, and at the court section.

Det. Ramdeen was not in the vehicle that removed § 87(2)(b) from the scene (**Board Review 08**).

§ 87(2)(g)

Allegation (G) Abuse of Authority: At an unknown location, Sergeant William Sommer threatened § 87(2)(b) **with the use of force.**

According to § 87(2)(b) after he was lodged into holding cells in the Manhattan DA’s office, he told Sgt. Sommer that he would “make a report” about this incident (**Board Review 03**). Sgt. Sommer said to § 87(2)(b) “If you make any report, we can disappear you, just like that.” § 87(2)(b) believed this statement to be a threat of physical violence against him.

§ 87(2)(b) declined to provide a sworn statement to the investigation (**Board Review 05**).

Sgt. Sommer denied speaking with § 87(2)(b) at the Manhattan District Attorney’s office on the day of the incident and denied making the alleged threat to § 87(2)(b) (**Board Review 07**).

Det. Dauge denied hearing Sgt. Sommer tell § 87(2)(b) that he would “disappear” him (**Board Review 06**).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 12**).
- Det. Dauge has been a member of service for 27 years and has been a subject in nine CCRB complaints and 12 allegations, none of which was substantiated. § 87(2)(g)

- § 87(2)(g) [REDACTED]
- Sgt. Sommer has been a member of service for 12 years and has been a subject in 8 CCRB complaints and 21 allegations, three of which were substantiated. § 87(2)(g) [REDACTED]
 - In #20071494313, the Board substantiated allegations of a frisk, vehicle stop and vehicle search. The Board recommended Command Discipline B, and the NYPD imposed Command Discipline B.
- Det. Ramdeen has been a member-of-service for 12 years and has been a subject in 5 CCRB complaints and 7 allegations, none of which were substantiated. § 87(2)(g) [REDACTED]

Mediation, Civil and Criminal Histories

- This case was not eligible for mediation.
- On April 5, 2021, a FOIL request was submitted to the NYC Office of the Comptroller for any Notice of Claim regarding this incident.
- § 87(2)(b) [REDACTED]

Squad No.: 9

Investigator: _____

Signature	Print Title & Name	Date
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Squad Leader: Wassim Abedrabbo SI Wassim Abedrabbo April 5, 2021

Signature	Print Title & Name	Date
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Reviewer: _____

Signature	Print Title & Name	Date
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